

**E2SHB 1415** - S COMM AMD  
By Committee on Ways & Means

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 90.48 RCW  
4 to read as follows:

5 (1) The legislature finds that large vessels specifically designed  
6 for the housing of people upon the seas, unlike vessels designed to  
7 transport cargo or petroleum that carry crew as an ancillary function  
8 of cargo transport, function primarily as a temporary residential  
9 facility, especially while these vessels are stationary at their port  
10 of call. The primary function of these vessels is more akin to a  
11 floating hotel or a houseboat than it is to a transportation vessel.

12 (2) It is the intent of the legislature to ensure that the  
13 blackwater, graywater, and other wastes eventually released by the  
14 owners and operators of commercial passenger vessels satisfies the  
15 state's standards for protecting the quality of its waters. It is the  
16 traditional and long-standing role of the state to ensure that any  
17 substances being released into its waters will not, given the unique  
18 nature of the state's local waters, adversely impact either the state's  
19 economic or environmental interests.

20 (3) It is the intent of the legislature for the department to fund  
21 the implementation of the commercial passenger vessel program created  
22 in sections 2 through 11 of this act exclusively through appropriations  
23 provided from the commercial passenger vessel enforcement account  
24 created in section 9 of this act.

25 **Sec. 2.** RCW 90.48.020 and 2002 c 161 s 4 are each amended to read  
26 as follows:

27 (~~Whenever the word~~) The definitions in this section apply  
28 throughout this chapter unless the context clearly requires otherwise.

1       ~~(1) "Person" ((is used in this chapter, it shall be construed to))~~  
2 includes any political subdivision, government agency, municipality,  
3 industry, public or private corporation, copartnership, association,  
4 firm, individual, or any other entity whatsoever.

5       ~~((Wherever the words)) (2) "Waters of the state" ((shall be used in~~  
6 ~~this chapter, they shall be construed to))~~ includes lakes, rivers,  
7 ponds, streams, inland waters, underground waters, salt waters, and all  
8 other surface waters and watercourses within the jurisdiction of the  
9 state of Washington.

10       ~~((Whenever the word)) (3) "Pollution" ((is used in this chapter, it~~  
11 ~~shall be construed to))~~ means such contamination, or other alteration  
12 of the physical, chemical, or biological properties, of any waters of  
13 the state, including change in temperature, taste, color, turbidity, or  
14 odor of the waters, or such discharge of any liquid, gaseous, solid,  
15 radioactive, or other substance into any waters of the state as will or  
16 is likely to create a nuisance or render such waters harmful,  
17 detrimental, or injurious to the public health, safety, or welfare, or  
18 to domestic, commercial, industrial, agricultural, recreational, or  
19 other legitimate beneficial uses, or to livestock, wild animals, birds,  
20 fish, or other aquatic life.

21       ~~((Wherever the word)) (4) "Department" ((is used in this chapter it~~  
22 ~~shall))~~ means the department of ecology.

23       ~~((Whenever the word)) (5) "Director" ((is used in this chapter it~~  
24 ~~shall))~~ means the director of ecology.

25       ~~((Whenever the words)) (6) "Aquatic noxious weed" ((are used in~~  
26 ~~this chapter, they have))~~ has the meaning ~~((prescribed under))~~ provided  
27 in RCW 17.26.020.

28       ~~((Whenever the words)) (7) "General sewer plan" ((are used in this~~  
29 ~~chapter they shall be construed to))~~ includes all sewerage general  
30 plans, sewer general comprehensive plans, plans for a system of  
31 sewerage, and other plans for sewer systems adopted by a local  
32 government entity including but not limited to cities, towns, public  
33 utility districts, and water-sewer districts.

34       (8) "Blackwater" means treated or untreated sewage wastewater from  
35 the toilets, urinals, medical sinks, and similar facilities on  
36 commercial passenger vessels.

37       (9) "Biomedical waste" has the same meaning provided in RCW  
38 70.95K.010.

1       (10) "Commercial passenger vessel" means a vessel not owned by the  
2 government of the United States or a foreign nation that is authorized  
3 and capable of providing overnight accommodations for at least fifty  
4 passengers for hire.

5       (11) "Dangerous waste" has the meaning provided in RCW 70.105.010.

6       (12) "Graywater" means treated or untreated galley, dishwater,  
7 bath, and laundry wastewaters from a commercial passenger vessel.

8       (13) "Oily bilge water" includes bilge water that contains used  
9 lubrication oils, oil sludge and slops, fuel and oil sludge, used oil,  
10 used fuel and fuel filters, and oily waste.

11       (14) "Passengers for hire" means vessel passengers that are  
12 required to contribute some form of consideration as a condition of  
13 carriage on the vessel, whether that consideration flows directly or  
14 indirectly to the owner, charterer, operator, agent, or other person  
15 having an interest in the vessel.

16       (15) "Release" means any discharge, however caused, from a  
17 commercial passenger vessel, and includes any escape, disposal,  
18 spilling, leaking, pumping, emitting, or emptying.

19       (16) "Sewage sludge" has the meaning provided in RCW 70.95.030.

20       (17) "Solid waste" has the meaning provided in RCW 70.95.030.

21       NEW SECTION. Sec. 3. A new section is added to chapter 90.48 RCW  
22 to read as follows:

23       (1) Except as otherwise provided in this section, a person may not,  
24 regardless of intent, release sewage sludge, solid waste, biomedical  
25 waste, or dangerous waste into any waters of the state from a  
26 commercial passenger vessel.

27       (2) Except as otherwise provided in this section or section 10 of  
28 this act, a person may not, regardless of intent, release untreated  
29 graywater or untreated blackwater from a commercial passenger vessel  
30 into any waters of the state.

31       (3) Except as otherwise provided in this section, a person may not,  
32 regardless of intent, release oily bilge water into any waters of the  
33 state if not in compliance with applicable federal law.

34       (4) This section does not apply to releases made for the purpose of  
35 securing the safety of a commercial passenger vessel or saving life at  
36 sea if all reasonable precautions have been taken to prevent or  
37 minimize the release.

1        NEW SECTION.    **Sec. 4.**    A new section is added to chapter 90.48 RCW  
2 to read as follows:

3        (1) Except as provided in this section or section 10 of this act,  
4 a person may not release blackwater into any waters of the state from  
5 a commercial passenger vessel that calls on a public port in Washington  
6 unless the owner or operator of the commercial passenger vessel has  
7 been approved for blackwater releases by the department for the vessel  
8 in question and is in compliance with the effluent limits and  
9 requirements for sampling and reporting established by the department.

10        (2)(a) The department shall approve blackwater releases from a  
11 commercial passenger vessel and the owner or operator of the vessel is  
12 deemed to be in compliance with the effluent limits and requirements  
13 for sampling and reporting established by the department if the owner  
14 or operator of the commercial passenger vessel:

15        (i) Can demonstrate to the department's satisfaction, based either  
16 on meeting the presumption provided in (b) of this subsection or on  
17 effluent limits and requirements for sampling and reporting established  
18 by the department, that the blackwater to be released from the vessel  
19 will receive an adequate level of treatment to protect the quality of  
20 the water receiving the release; and

21        (ii) Has paid the mandatory annual operating fee established in  
22 section 8 of this act.

23        (b) The department shall presume that the level of treatment given  
24 to blackwater releases from a vessel is adequate if the owner or  
25 operator of a commercial passenger vessel satisfies the requirements of  
26 section 5 of this act and provides documentation to the department  
27 about the type of wastewater treatment system in use on the vessel, and  
28 documentation that the wastewater treatment system on the vessel in  
29 question has been certified by the United States coast guard for  
30 continuous discharge of blackwater in the state of Alaska. If the  
31 mandatory annual operating fee established in section 8 of this act has  
32 been satisfied, the approval for blackwater release may be presumed by  
33 the owner or operator of a commercial passenger vessel providing such  
34 documentation if the department has not provided notification in  
35 writing to the contrary or a request in writing for further  
36 documentation to demonstrate coast guard approval within sixty days of  
37 submitting the original documentation.

1 (3) Approvals granted by the department under this section remain  
2 in effect until January 1st following the approval and may be rescinded  
3 if substantial changes are made to the approved wastewater treatment  
4 system or if a violation of section 5 of this act is discovered. The  
5 department may rely on previous engineering reviews in granting  
6 subsequent approvals.

7 (4) This section does not apply to releases made for the purpose of  
8 securing the safety of a commercial passenger vessel or saving life at  
9 sea if all reasonable precautions have been taken to prevent or  
10 minimize the release.

11 NEW SECTION. **Sec. 5.** A new section is added to chapter 90.48 RCW  
12 to read as follows:

13 (1) The owner or operator of a commercial passenger vessel that is  
14 operating under the presumption of adequate blackwater treatment  
15 granted in section 4 of this act maintains the presumption and may  
16 release treated blackwater when the vessel is at least more than one  
17 nautical mile from its berth at a public port in Washington and is  
18 traveling at least six knots so long as the owner or operator does all  
19 of the following:

20 (a) Sample the quality of the treated blackwater released from the  
21 commercial passenger vessel while in state waters at least once during  
22 each month that the commercial passenger vessel calls on a public port  
23 in Washington. The sample must be analyzed by a department-approved  
24 laboratory for all parameters required to be tested in order to obtain  
25 the necessary United States coast guard certification referenced by  
26 section 4 of this act for continuous discharge of blackwater in the  
27 state of Alaska, and must include, at a minimum, the following five  
28 parameters: pH, biochemical oxygen demand, fecal coliform, total  
29 suspended solids, and residual chlorine;

30 (b) Share all effluent samples with the department, when requested  
31 in writing, for all samples taken in waters of the state;

32 (c) Conduct a whole effluent toxicity test, or WET test, at least  
33 once every two years unless the department provides notification in  
34 writing that such testing is unnecessary;

35 (d) Provide the department, when requested in writing, with  
36 duplicate results of tests performed on the commercial passenger  
37 vessel's wastewater treatment system in other jurisdictions;

1 (e) Notify the department at least one week before sampling in  
2 waters of the state is to occur, and allow department staff to observe  
3 the sampling events when requested;

4 (f) Immediately report to the department any unauthorized  
5 discharges;

6 (g) Allow the department to conduct a minimum of one inspection of  
7 the commercial passenger vessel, if requested in writing, to verify the  
8 operating conditions of the wastewater treatment system; and

9 (h) Notify the department if material changes are made to the  
10 wastewater treatment system approved under section 4 of this act.

11 (2) The owner or operator of a commercial passenger vessel that is  
12 operating under the presumption of adequate blackwater treatment  
13 granted in section 4 of this act maintains the presumption and may  
14 release treated blackwater when the vessel is at or within one nautical  
15 mile of its berth at a public port in Washington so long as the owner  
16 or operator does all of the following:

17 (a) Comply with the requirements set forth in subsection (1)(a)  
18 through (h) of this section;

19 (b) Provide twenty-four hour continuous monitoring of the turbidity  
20 of any released blackwater, or an equivalent to turbidity monitoring  
21 agreed to by the department that judges the effluent released by the  
22 wastewater treatment system of a commercial passenger vessel;

23 (c) Provide documentation to the department that all treated  
24 blackwater will receive adequate disinfection immediately before  
25 discharge using ultraviolet light or another method approved by the  
26 department;

27 (d) Provide copies of any water quality tests taken from the  
28 effluent of the commercial passenger vessel during the six months  
29 preceding the approved release; and

30 (e) Provide documentation of the commercial passenger vessel's  
31 wastewater treatment system design that demonstrates:

32 (i) That the system can be either automatically shut down or that  
33 there are operational procedures in place to ensure an immediate shut  
34 down of the system if effluent monitoring reveals that the wastewater  
35 treatment system is malfunctioning;

36 (ii) A plan has been adopted that describes protocols for notifying  
37 the department if the wastewater treatment system malfunctions or is  
38 shut down while in the waters of the state; and

1 (iii) How blackwater will be stored, including the capacity of any  
2 holding tanks to be used, until the wastewater treatment system is  
3 repaired and operating.

4 NEW SECTION. **Sec. 6.** A new section is added to chapter 90.48 RCW  
5 to read as follows:

6 (1) Except as provided in this section or section 10 of this act,  
7 a person may not release graywater into any waters of the state from a  
8 commercial passenger vessel that calls on a public port in Washington  
9 unless the owner or operator of the commercial passenger vessel has  
10 been approved for graywater releases by the department for the vessel  
11 in question and is in compliance with the effluent limits and  
12 requirements for sampling and reporting established by the department.

13 (2)(a) The department shall approve graywater releases from a  
14 commercial passenger vessel and the owner or operator of the vessel is  
15 deemed to be in compliance with the effluent limits and requirements  
16 for sampling and reporting established by the department if the owner  
17 or operator of the commercial passenger vessel:

18 (i) Can demonstrate to the department's satisfaction, based either  
19 on meeting the presumption provided in (b) of this subsection or on  
20 satisfying effluent limits and requirements for sampling and reporting  
21 established by the department, that the graywater to be released from  
22 the vessel will receive an adequate level of treatment to protect the  
23 quality of the water receiving the release; and

24 (ii) Has paid the mandatory annual operating fee established in  
25 section 8 of this act.

26 (b) The department shall presume that the level of treatment given  
27 to graywater releases from a vessel is adequate if the owner or  
28 operator of a commercial passenger vessel satisfies the requirements of  
29 section 7 of this act and provides documentation to the department  
30 about the type of wastewater treatment system in use on the vessel, and  
31 documentation that the wastewater treatment system on the vessel in  
32 question has been certified by the United States coast guard for  
33 continuous discharge of graywater in the state of Alaska. If the  
34 mandatory annual operating fee established in section 8 of this act has  
35 been satisfied, the approval for graywater release may be presumed by  
36 the owner or operator of a commercial passenger vessel providing such  
37 documentation if the department has not provided notification in

1 writing to the contrary or a request in writing for further  
2 documentation to demonstrate coast guard approval within sixty days of  
3 submitting the original documentation.

4 (3) Approvals granted by the department under this section remain  
5 in effect until January 1st following the approval and may be rescinded  
6 if substantial changes are made to the approved wastewater treatment  
7 system or if a violation of section 7 of this act is discovered. The  
8 department may rely on previous engineering reviews in granting  
9 subsequent approvals.

10 (4) This section does not apply to releases made for the purpose of  
11 securing the safety of a commercial passenger vessel or saving life at  
12 sea if all reasonable precautions have been taken to prevent or  
13 minimize the release.

14 NEW SECTION. **Sec. 7.** A new section is added to chapter 90.48 RCW  
15 to read as follows:

16 (1) The owner or operator of a commercial passenger vessel that is  
17 operating under the presumption of adequate graywater treatment granted  
18 in section 6 of this act maintains the presumption and may release  
19 treated graywater when the vessel is at least more than one nautical  
20 mile from its berth at a public port in Washington and is traveling at  
21 least six knots so long as the owner or operator does all of the  
22 following:

23 (a) Sample the quality of the treated graywater released from the  
24 commercial passenger vessel while in state waters at least once during  
25 each month that the commercial passenger vessel calls on a public port  
26 in Washington. The sample must be analyzed by a department-approved  
27 laboratory for all parameters required to be tested in order to obtain  
28 the necessary United States coast guard certification referenced by  
29 section 6 of this act for continuous discharge of graywater in the  
30 state of Alaska, and must include, at a minimum, the following five  
31 parameters: pH, biochemical oxygen demand, fecal coliform, total  
32 suspended solids, and residual chlorine;

33 (b) Share all effluent samples with the department, when requested  
34 in writing, for all samples taken in waters of the state;

35 (c) Conduct a whole effluent toxicity test, or WET test, at least  
36 once every two years unless the department provides notification in  
37 writing that such testing is unnecessary;

1 (d) Provide the department, when requested in writing, with  
2 duplicate results of tests performed on the commercial passenger  
3 vessel's wastewater treatment system in other jurisdictions;

4 (e) Notify the department at least one week before sampling in  
5 waters of the state is to occur, and allow department staff to observe  
6 the sampling events when requested;

7 (f) Immediately report to the department any unauthorized  
8 discharges;

9 (g) Allow the department to conduct a minimum of one inspection of  
10 the commercial passenger vessel, if requested in writing, to verify the  
11 operating conditions of the wastewater treatment system; and

12 (h) Notify the department if material changes are made to the  
13 wastewater treatment system approved under section 6 of this act.

14 (2) The owner or operator of a commercial passenger vessel that is  
15 operating under the presumption of adequate graywater treatment granted  
16 in section 6 of this act maintains the presumption and may release  
17 treated graywater when the vessel is at or within one nautical mile of  
18 its berth at a public port in Washington so long as the owner or  
19 operator does all of the following:

20 (a) Comply with the requirements set forth in subsection (1)(a)  
21 through (h) of this section;

22 (b) Provide twenty-four hour continuous monitoring of the turbidity  
23 of any released graywater, or an equivalent to turbidity monitoring  
24 agreed to by the department that judges the effluent released by the  
25 wastewater treatment system of a commercial passenger vessel;

26 (c) Provide documentation to the department that all treated  
27 graywater will receive adequate disinfection immediately before  
28 discharge using ultraviolet light or another method approved by the  
29 department;

30 (d) Provide copies of any water quality tests taken from the  
31 effluent of the commercial passenger vessel during the six months  
32 preceding the approved release; and

33 (e) Provide documentation of the commercial passenger vessel's  
34 wastewater treatment system design that demonstrates:

35 (i) That the system can be either automatically shut down or that  
36 there are operational procedures in place to ensure an immediate shut  
37 down of the system if effluent monitoring reveals that the wastewater  
38 treatment system is malfunctioning;

1 (ii) A plan has been adopted that describes protocols for notifying  
2 the department if the wastewater treatment system malfunctions or is  
3 shut down while in the waters of the state; and

4 (iii) How graywater will be stored, including the capacity of any  
5 holding tanks to be used, until the wastewater treatment system is  
6 repaired and operating.

7 NEW SECTION. **Sec. 8.** A new section is added to chapter 90.48 RCW  
8 to read as follows:

9 (1) Before releasing treated blackwater under section 4 of this act  
10 or treated graywater under section 6 of this act, the owner or operator  
11 of a commercial passenger vessel must remit to the department an annual  
12 operating fee in an amount set by the department.

13 (2)(a) The department shall establish the fee schedule necessary to  
14 implement this section so that the total estimated receipts equal the  
15 estimated annual costs in implementing sections 3 through 11 of this  
16 act.

17 (b) The actual fee charged to an individual commercial passenger  
18 vessel under this section shall be based on the number of passengers  
19 for hire that can be provided with overnight accommodation on the  
20 vessel; however, in no event may the annual fee for a commercial  
21 passenger vessel under this section exceed eight thousand dollars per  
22 vessel per year.

23 (3) Fees collected under this section must be deposited into the  
24 commercial passenger vessel enforcement account created in section 9 of  
25 this act.

26 (4) The department may enter into agreements to collect the annual  
27 operations fee from the owner or operators of the commercial passenger  
28 vessels calling on a port.

29 NEW SECTION. **Sec. 9.** A new section is added to chapter 90.48 RCW  
30 to read as follows:

31 The commercial passenger vessel enforcement account is created in  
32 the state treasury. All receipts from annual operating fees paid by  
33 the owner or operator of a commercial passenger vessel must be  
34 deposited into the account. Moneys in the account may only be used for  
35 administering and enforcing the provisions of sections 3 through 11 of  
36 this act.

1        NEW SECTION.    **Sec. 10.**    A new section is added to chapter 90.48 RCW  
2 to read as follows:

3        (1)    Commercial    passenger    vessels    that    provide    overnight  
4 accommodations for less than two hundred fifty passengers for hire may  
5 report to the department the name of the vessel, the public ports in  
6 Washington that the vessel visited, the passenger capacity of the  
7 vessel, and the contact name and address of the vessel's owner or  
8 operator.    Trade associations may submit to the department the  
9 information required by this section for member vessels.

10        (2)    Until December 31, 2009, commercial passenger vessels that  
11 provide overnight accommodations for less than two hundred fifty  
12 passengers for hire, and any state operated ferries that provide  
13 overnight accommodations for six hundred or fewer passengers for hire  
14 are exempt from the requirements of sections 3(2), 4, 6, and 8 of this  
15 act if the owner or operator of the vessel submitted a report to the  
16 department consistent with subsection (1) of this section.

17        (3)    By December 31, 2008, the director shall, in cooperation with  
18 the small cruise ship industry and any state operated ferry systems  
19 using the exemption provided under subsection (2) of this section,  
20 investigate the state of technologies available to small commercial  
21 passenger vessels and relevant state operated ferry systems, and report  
22 back to the legislature by January 12, 2009, on whether the exemption  
23 should be extended or modified.

24        NEW SECTION.    **Sec. 11.**    By November 30, 2007, the department of  
25 ecology shall submit to the appropriate committees of the legislature  
26 a report describing how the management and releases of treated  
27 blackwater and graywater from commercial passenger vessels under this  
28 chapter are or are not adequate for protecting water quality and public  
29 health.    At a minimum, the report must make findings as to whether  
30 commercial passenger vessels are releasing treated blackwater and  
31 graywater in the same locations, and if so, whether the cumulative  
32 effects of these releases degrade the water quality in those areas.

33        NEW SECTION.    **Sec. 12.**    The report required under section 11 of  
34 this act must also address the dilution and dispersion of viruses in  
35 the treated blackwater and the impact on shellfish for human  
36 consumption.

1        NEW SECTION.    **Sec. 13.**    A new section is added to chapter 90.48 RCW  
2 to read as follows:

3        For each year from 2005 until 2010, the department shall analyze  
4 all water quality data received from commercial passenger vessels and  
5 make available to the public, using the agency's web site, by December  
6 31st of each year a report that summarizes all data collected in lay  
7 terms.

8        This section expires January 1, 2011.

9        **Sec. 14.**    RCW 70.95.030 and 2004 c 101 s 1 are each amended to read  
10 as follows:

11        As used in this chapter, unless the context indicates otherwise:

12        (1) "City" means every incorporated city and town.

13        (2) "Commission" means the utilities and transportation commission.

14        (3) "Committee" means the state solid waste advisory committee.

15        (4) "Composted material" means organic solid waste that has been  
16 subjected to controlled aerobic degradation at a solid waste facility  
17 in compliance with the requirements of this chapter. Natural decay of  
18 organic solid waste under uncontrolled conditions does not result in  
19 composted material.

20        (5) "Department" means the department of ecology.

21        (6) "Director" means the director of the department of ecology.

22        (7) "Disposal site" means the location where any final treatment,  
23 utilization, processing, or deposit of solid waste occurs.

24        (8) "Energy recovery" means a process operating under federal and  
25 state environmental laws and regulations for converting solid waste  
26 into usable energy and for reducing the volume of solid waste.

27        (9) "Functional standards" means criteria for solid waste handling  
28 expressed in terms of expected performance or solid waste handling  
29 functions.

30        (10) "Incineration" means a process of reducing the volume of solid  
31 waste operating under federal and state environmental laws and  
32 regulations by use of an enclosed device using controlled flame  
33 combustion.

34        (11) "Inert waste landfill" means a landfill that receives only  
35 inert waste, as determined under RCW 70.95.065, and includes facilities  
36 that use inert wastes as a component of fill.

1 (12) "Jurisdictional health department" means city, county, city-  
2 county, or district public health department.

3 (13) "Landfill" means a disposal facility or part of a facility at  
4 which solid waste is placed in or on land and which is not a land  
5 treatment facility.

6 (14) "Local government" means a city, town, or county.

7 (15) "Modify" means to substantially change the design or  
8 operational plans including, but not limited to, removal of a design  
9 element previously set forth in a permit application or the addition of  
10 a disposal or processing activity that is not approved in the permit.

11 (16) "Multiple family residence" means any structure housing two or  
12 more dwelling units.

13 (17) "Person" means individual, firm, association, copartnership,  
14 political subdivision, government agency, municipality, industry,  
15 public or private corporation, or any other entity whatsoever.

16 (18) "Recyclable materials" means those solid wastes that are  
17 separated for recycling or reuse, such as papers, metals, and glass,  
18 that are identified as recyclable material pursuant to a local  
19 comprehensive solid waste plan. Prior to the adoption of the local  
20 comprehensive solid waste plan, adopted pursuant to RCW 70.95.110(2),  
21 local governments may identify recyclable materials by ordinance from  
22 July 23, 1989.

23 (19) "Recycling" means transforming or remanufacturing waste  
24 materials into usable or marketable materials for use other than  
25 landfill disposal or incineration.

26 (20) "Residence" means the regular dwelling place of an individual  
27 or individuals.

28 (21) "Sewage sludge" means a semisolid substance consisting of  
29 settled sewage solids combined with varying amounts of water and  
30 dissolved materials, generated from a wastewater treatment system, that  
31 does not meet the requirements of chapter 70.95J RCW. "Sewage sludge"  
32 does not include blackwater, as that term is defined in RCW 90.48.020.

33 (22) "Soil amendment" means any substance that is intended to  
34 improve the physical characteristics of the soil, except composted  
35 material, commercial fertilizers, agricultural liming agents,  
36 unmanipulated animal manures, unmanipulated vegetable manures, food  
37 wastes, food processing wastes, and materials exempted by rule of the

1 department, such as biosolids as defined in chapter 70.95J RCW and  
2 wastewater as regulated in chapter 90.48 RCW.

3 (23) "Solid waste" or "wastes" means all putrescible and  
4 nonputrescible solid and semisolid wastes including, but not limited  
5 to, garbage, rubbish, ashes, industrial wastes, swill, sewage sludge,  
6 demolition and construction wastes, abandoned vehicles or parts  
7 thereof, and recyclable materials.

8 (24) "Solid waste handling" means the management, storage,  
9 collection, transportation, treatment, utilization, processing, and  
10 final disposal of solid wastes, including the recovery and recycling of  
11 materials from solid wastes, the recovery of energy resources from  
12 solid wastes or the conversion of the energy in solid wastes to more  
13 useful forms or combinations thereof.

14 (25) "Source separation" means the separation of different kinds of  
15 solid waste at the place where the waste originates.

16 (26) "Vehicle" includes every device physically capable of being  
17 moved upon a public or private highway, road, street, or watercourse  
18 and in, upon, or by which any person or property is or may be  
19 transported or drawn upon a public or private highway, road, street, or  
20 watercourse, except devices moved by human or animal power or used  
21 exclusively upon stationary rails or tracks.

22 (27) "Waste-derived soil amendment" means any soil amendment as  
23 defined in this chapter that is derived from solid waste as defined in  
24 RCW 70.95.030, but does not include biosolids or biosolids products  
25 regulated under chapter 70.95J RCW or wastewaters regulated under  
26 chapter 90.48 RCW.

27 (28) "Waste reduction" means reducing the amount or toxicity of  
28 waste generated or reusing materials.

29 (29) "Yard debris" means plant material commonly created in the  
30 course of maintaining yards and gardens, and through horticulture,  
31 gardening, landscaping, or similar activities. Yard debris includes  
32 but is not limited to grass clippings, leaves, branches, brush, weeds,  
33 flowers, roots, windfall fruit, vegetable garden debris, holiday trees,  
34 and tree prunings four inches or less in diameter.

35 NEW SECTION. **Sec. 15.** If any provision of this act or its  
36 application to any person or circumstance is held invalid, the

1 remainder of the act or the application of the provision to other  
2 persons or circumstances is not affected.

3 NEW SECTION. **Sec. 16.** This act takes effect January 1, 2006."

**E2SHB 1415** - S COMM AMD  
By Committee on Ways & Means

4 On page 1, line 2 of the title, after "Washington;" strike the  
5 remainder of the title and insert "amending RCW 90.48.020 and  
6 70.95.030; adding new sections to chapter 90.48 RCW; creating new  
7 sections; prescribing penalties; providing an effective date; and  
8 providing an expiration date."

--- END ---